

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

FILED
RICHARD W. NAGEL
CLERK OF COURT

11/8/21

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WEST. DIV. DAYTON

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

Priority Mail Package Tracking Number

9505506672461308537277 postmarked November 4,
2021

Case No. 3:21MJ404

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Priority Mail Package, 9505506672461308537277, addressed to 5171 GARDENDALE AVE Dayton OH 45417-8202, with no return address information.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
 21 U.S.C. 841(a)(1)
 21 U.S.C. 846
 21 U.S.C. 843(b)

Offense Description
 Distribution and possession with intent to distribute a controlled substance
 Conspiracy to distribute/possess with intent to distribute a controlled substance
 Use of a communication facility to commit a felony

The application is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature

Joseph L. Rossiter, U.S. Postal Inspector
 Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
 facetime (specify reliable electronic means).

Date: 11/08/2021

City and state: Dayton, OH





 Signature

 U.S. Magistrate Judge

 Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IN THE MATTER OF THE SEARCH OF
PRIORITY MAIL PACKAGE TRACKING
NUMBER 9505506672461308537239 AND
PRIORITY MAIL PACKAGE TRACKING
NUMBER 9505506672461308537277

Case No. **3:21MJ404**

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, **Joseph Rossiter**, being first duly sworn, hereby depose and state as follows:

1. I am a United States Postal Inspector and have been since May 2016. I am presently assigned to the Cincinnati Field Office of the United States Postal Inspection Service, Pittsburgh Division, with investigative responsibility for southeast Indiana and southern Ohio. Part of my responsibility involves investigating the illicit use of the United States Mails in transporting narcotics, other dangerous controlled substances, and financial proceeds from, or instrumentalities used in, the sale of such narcotics and controlled substances (hereinafter, "Drugs and/or Proceeds").

2. Based on my training and experience as a United States Postal Inspector, I have become aware that drug traffickers frequently use United States Priority Mail Express (overnight) or Priority Mail (2-3-day) to transport Drugs and/or Proceeds. Additionally, as a result of prior investigations, law enforcement training, and successful controlled-substance prosecutions involving the use of the United States Mails, I have learned of certain common characteristics and/or circumstances that indicate a particular package may contain Drugs and/or Criminal Proceeds. These circumstances and/or characteristics include, but are not necessarily limited to, the following: the mailer uses different post offices on the same day to send packages, the return

address is false or non-existent, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, the labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanate from the package, and the listed address is located in an area of known or suspected drug activity.

3. On November 8, 2021, Postal Inspectors intercepted two packages (hereinafter "Package 1" and "Package 2") at the Cincinnati Network Distribution Center (NDC). The packages were determined to have been mailed on the same date, at the same time, from the same location. Package 1 is described as a Priority Mail brown box, bearing tracking number 9505506672461308537239, postmarked November 4, 2021, with the following address information:

Sender:

Addressee: 5171 GARDENDALE AVE
Dayton OH 45417-8202

4. Package 2 is described as a Priority Mail brown box, bearing tracking number 9505506672461308537277, postmarked November 4, 2021, with following address information:

Sender:

Addressee: 5171 GARDENDALE AVE
Dayton OH 45417-8202

Through training and experience as a Postal Inspector, I know that the Southern California Area is known as a drug source location.


5. A standard check of the CLEAR law enforcement data base was not able to be performed as part of this investigation due to the fact neither Package 1 or Package 2 listed any sender information, or any addressee name.

6. On November 8, 2021, at my request, Dayton Police Department Officer Randy Betsinger conducted a narcotics-detection canine "free air" check on the outside of both Package 1 and Package 2. I was present when said checks were performed. The packages were placed in separate controlled areas and presented to the narcotics-detection canine, "Hugo." As set forth in the attached affidavits of Officer Betsinger, "Hugo" alerted positively for the presence or odor of a narcotic or other controlled substance on Package 1 and Package 2. "Hugo" is a properly trained and certified narcotics-detection canine.

7. Based on my prior law enforcement training and experience as a United States Postal Inspector, the Packages' address information, including (i) no sender or recipient information, (ii) the packages were shipped from a known drug source location and being sent to an area known for drug trafficking, and (iii) the positive alert of the narcotics-detection canine are all indicative of, and consistent with Drugs and/or Criminal Proceeds being contained in said Packages. Therefore, a search warrant to open both said Packages is requested.

Further, your Affiant sayeth naught.

Respectfully submitted,



Joseph L. Rossiter
Postal Inspector
United States Postal Inspection Service

Subscribed and sworn to and before me this 8th day of Nov, 2021.

HONORABLE SHARON L. OVINGTON
UNITED STATES MAGISTRATE JUDGE





UNITED STATES POSTAL INSPECTION SERVICE

PITTSBURGH DIVISION

OFFICER AFFIDAVIT

I, Officer Randy Betsinger, am and have been employed by the Dayton Police Department since 2019. Among other duties, I am currently the assigned handler of narcotics detection canine "Hugo" which is trained and certified in the detection of the presence or odor of narcotics described as follows:

Marijuana, Cocaine, Methamphetamine, and Heroin

On 11/8/21, at the request of Postal Inspector ROSSITER, I responded to the DAYTON P&DC, where "Hugo" did alert to and indicate upon: [describe item]

9505 5066 7246 1308 5372 77

5171 GARDENDALE AVE

Dayton OH 45417-9202

Which, based upon my training and experience and that of "Hugo", indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

[Signature] 28927 11/8/21
(Signature, Badge #, and Date)

[Signature] 11/8/21
(Witness/Date)